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CLERK, U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA  
BY DEPUTY

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, ) Criminal No. 07CR3066-JAH  
Plaintiff, ) FINDINGS AND RECOMMENDATION OF  
v. ) THE MAGISTRATE JUDGE UPON A  
CARLOS MELGAR-LAGO, ) PLEA OF GUILTY TO A VIOLATION  
Defendant. ) OF 8 U.S.C. SECTION 1326 (a)  
 ) and (b) WITH WAIVER OF  
 ) OBJECTIONS AND THE PREPARATION  
 ) OF THE PRESENTENCE REPORT

Upon Defendant's request to enter a plea of Guilty pursuant to Rule 11 of the Federal Rules of Criminal Procedure, this matter was referred to the Magistrate Judge by the District Judge, with the written consents of the Defendant, counsel for the Defendant, and counsel for the United States.

Thereafter, the matter came on for a hearing on Defendant's plea of guilty, in full compliance with Rule 11, Federal Rules of Criminal Procedure, before the Magistrate Judge, in open court and on the record.

In consideration of that hearing and the allocution made by the Defendant under oath on the record and in the presence of counsel, and the remarks of the Assistant United States Attorney,

**I make the following FINDINGS - that the Defendant**

07CR3066-JAH

1 removed from the United States <sup>on</sup> ~~after~~ 3/5/03 <sup>WMC</sup>.

2 I therefore RECOMMEND that the District Judge accept the  
3 Defendant's plea of guilty.

4 The sentencing hearing will be before United States District  
5 Judge JOHN A. HOUSTON, on DECEMBER 17, 2007, at 10:30 A.M.

6 Objections to these Findings and Recommendation were waived  
7 by the parties at the hearing. The parties have also waived the  
8 preparation of the Presentence report in this case.

9  
10 Dated: 11/29/07

WMC  
11 Honorable WILLIAM McCURINE, JR.  
United States Magistrate Judge

12 Copies to:

13 Hon. JOHN A. HOUSTON  
U.S. District Judge

14 CHARLOTTE KAISER  
15 United States Attorney

16 GREGORY D. OBENAUER  
Counsel for Defendant

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